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MUNICIPAL RESTRUCTURING AND MEGACITIES IN ONTARIO

Jerry Richmond Research Officer

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Research and Information Services, Room 2520, Whitney Block, 99 Wellesley Street West, Toronto, ON M7A 1A9

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INTRODUCTION

This Current Issue Paper reviews the general pros, cons and issues associated with municipal restructuring¹ and the establishment of a megacity, the City of Toronto.

The new City of Toronto, which came into being on January 1, 1998, involved provincial enabling legislation, and the collapse of the previous metropolitan two-tier municipal government structure into a single municipality with one council and mayor. This city is focussed on an established urban area and retains the same outer geographic limit as the former metropolitan municipality.

Since this new City of Toronto has only been in existence for two years, it may be too early to independently assess this experience and the new city's resulting performance. On a day-to-day basis civic services have been maintained. Between 1996 and 1999, the major simultaneous changes to the property tax system and municipal service responsibilities across Ontario² may make analysis of the distinct impacts of the megacity experience difficult or impossible to measure, compared with the previous multimunicipal structure. Some of the issues highlighted below might have emerged even if the pre-1995 municipal structures had remained in place.

Following the upcoming November 2000 Ontario municipal elections, megacities will also come into being for 2001 in Ottawa and Hamilton. A "one-city" system of municipal government is also under consideration for the island of Montreal in Quebec.³

MUNICIPAL RESTRUCTURING IN ONTARIO

Ontario's Progressive Conservative Party in its 1995 Ontario election platform document, the Common Sense Revolution, coined the phrase "doing better for less" and also made a commitment to reduce the size and cost of government, including municipal and regional governments. After winning the Ontario general election of June 8, 1995 a major policy and legislative focus of the government became the restructuring of Ontario's municipalities. This involved reducing the number of municipalities, the number of local politicians and also the size of administrations in many municipalities across Ontario. It was anticipated that this major focus would save money, while at the same time preserving public services. 5

In July 1996 there were 815 municipalities in Ontario. By January 1, 2001, based upon restructurings committed to (as of mid February 2000), there should be 495 Ontario municipalities. Between July 1996 and January 2001, the number of elected officials will have been reduced from 4,586 to 3,049.⁶ In addition, for the 1999 Ontario general election the size of the Legislature was reduced from 130 to 103 seats, which matches the number of federal ridings across Ontario.

These changes were described as being based on the priority of "downsizing public government.". A Council of Europe report on *The size of municipalities* (1995)⁸ reports

that in the 1960s and 1970s there were structural reforms in Scandinavia, Germany and the United Kingdom to significantly reduce the number of municipalities.

At the same time as this restructuring initiative, Ontario municipalities were also affected by several other major policy initiatives of the Ontario government which directly affected their operations and budgets. Beginning with the 1998 property tax year a new province-wide system of current, or market value, assessment was put in place. This, plus a province-wide system of capping tax increases for commercial properties, affected the actual property taxes paid by property owners across Ontario. The property tax remains the major revenue source for Ontario municipalities. For the 2001 property tax year, assessments on all properties across Ontario will be updated to June 30, 1999 market values. Assessment changes for individual properties will reflect market value changes since June 30, 1996.9

Also, a system of provincial-municipal service transfer, referred to either as local services realignment, or "downloading," affected the service responsibilities of all Ontario municipalities. In exchange for the Ontario government assuming a greater share of public education costs, which were formerly funded from the property tax base, from general taxes, a range of service responsibilities, including operating and capital funding requirements, were transferred to municipalities. The Ontario government maintained that this exercize was "revenue neutral" which was often disputed by municipal leaders. The province offered municipalities various forms of transitional funding combined grants/loans to the City of Toronto in 1998 and 1999. These major policy changes affecting municipalities are highlighted in a progress report – Building the New City of Toronto (July 1999), prepared by Toronto's Chief Administrative Officer.

As a result of these largely concurrent changes which affected Ontario municipalities, it may be difficult or impossible to distinguish the actual and perceived impacts of restructuring alone. ¹⁵ In addition, some of the issues highlighted below might have still emerged if the pre-1995 municipal structures had remained in place. However, the focus of the following review is on the impact and issues associated with restructuring as applied to some of Ontario's largest cities, and Toronto in particular.

"Megacity" and the New City of Toronto

The term "megacity" was first coined by the Toronto media¹⁶ in response to the proposal to restructure Metropolitan Toronto, and its seven component municipalities, into a single City of Toronto under the provisions of *Bill 103-City of Toronto Act*, that was given First Reading in the Ontario Legislature on December 17, 1996.

The resulting new City of Toronto replaced the former upper-tier Municipality of Metropolitan Toronto and the following component area, or local municipalities: Cities of Toronto, North York, Scarborough, Etobicoke, York and Borough of East York. The boundaries of the new city matched the outer limits of the former metropolitan municipality.

Following the November 1997 municipal elections, the new City of Toronto came into being on January 1, 1998. This city, with a population of 2.4 million and a 1998 budget of \$5.6 billion, is the largest municipal jurisdiction in Canada. This change represents the most significant modification to local governance in Toronto since the creation of the metropolitan two-tier structure in 1954, and the later establishment of the six area municipalities in 1967. The structure in 1954 and the later establishment of the six area municipalities in 1967.

Between 1997 and 2000, the new Toronto council initially consisted of 56 councillors elected by ward, plus the mayor elected at large. In 1998 an additional councillor was added for the East York area. This amalgamation reduced the number of elected politicians across Toronto from 106 to 57. 19

For the November 2000 election, Toronto council was "downsized" by the Ontario government in late 1999, to 44 councillors, plus the mayor. Two councillors will be elected for wards that are related to the 22 provincial ridings within Toronto. This 44 member council, plus the mayor, is similar to a proposal put forward within the original Bill 103 -City of Toronto Act. The Ontario government promoted this latest change to achieve further economies.

General features of the megacity in Ontario have included:

- · special purpose provincial enabling legislation;
- the collapse of the former two-tier structure into a single city government and council;
- · the new city is focussed on a central urban core; and
- in the Toronto case, the maintenance of the same external geographic limits for the new city.

As noted below, these principles have been generally also applied in the megacities in Ottawa and Hamilton to take effect in 2001.

'Pros' and 'Cons' of the Toronto Megacity Model

On a day to day basis in Toronto, municipal government and key municipal services have continued to operate in a reasonably effective manner while undergoing major structural and financial change. There may be emerging questions, as noted below, regarding the city's ability to plan for, and adequately address longer term social, environmental and infrastructure issues and needs. However, debate on these matters was also prevalent even before the establishment of the megacity.

During the spring 1999 Ontario general election campaign there was little reported discussion of the municipal amalgamation issue.²² The first "megacity" Mayor, Mel Lastman,²³ continues to be very popular with a recent approval rating of 84 percent.²⁴

However, Bill 103 - City of Toronto Act was hotly debated in late 1996 and into the spring of 1997. As a prelude to Third Reading of this legislation in the Ontario

Legislature, the opposition parties engaged in a heated, nine-day around-the-clock filibuster in April 1997.²⁵

The "megacity" option was also the subject of local referenda on March 3, 1997 within the six former area municipalities of Metropolitan Toronto. Seventy-six percent voted against the megacity proposal. ²⁶ Heated public meetings and debate involving the "grassroots" Citizens for Local Democracy group, prominent citizens, business organizations, provincial and municipal politicians, academics, and members of the public took place during the local referenda campaigns and associated hearings and debate at the Ontario Legislature. ²⁷

During this debate on the megacity concerns were raised regarding:

- · the impact of amalgamation on local neighbourhoods and community identity;
- the role of the new council, mayor, and system of government;
- operation and role of the proposed community councils and neighbourhood committees as proposed in the legislation;
- the impact of the new ward structure;
- · the impact on the delivery of hard and soft/social services; and
- the effect on planning decisions and economic development.²⁸

There was also debate regarding projected operating savings through the amalgamation, compared with arguments that the merger would lead to increased costs in many areas.²⁹

Concerns were also raised that the proposed Toronto amalgamation would not address broader planning, economic and transportation issues across the Greater Toronto Area. On the other hand some witnesses before Legislative Committee hearings felt that this amalgamation would achieve economies of scale, promote efficiency, lower the costs of government, and better enable the new city to promote itself and compete in the broader North American and world economies. 31

Toronto's Megacity Experience

An in-house evaluation of the experience of the new City of Toronto was set out in *Building the New City of Toronto* (July 1999)³², prepared by the Chief Administrative Officer.

Major findings included:

- continuation of public services without interruption during the amalgamation;
- successful addressing of Y2K preparedness and maintenance of essential municipal services:
- · continuation of work on harmonizing seven former municipal operations; and

 delivering services in the 1998 and 1999 city budgets with no overall budgetary increase.

This Report also noted:

Organizational change, while presenting tremendous opportunities, also takes a toll. Staff have watched their colleagues of many years leave the [City of Toronto] corporation. Some have seen familiar practices and systems replaced by new and unfamiliar ways of carrying out business. They have been patient, trusting and, above all, dedicated to public service. My challenge and Council's challenge is to bring the stability necessary to keep our employees committed, to ensure that staff feel their contribution is sufficiently valued for the city to be regarded as the employer of first choice – always.³³

John Sewell, a former Toronto mayor, has reported that "there is a bigger [political] distance between city hall and the community." In addition, the reduction in the number of councillors for 2001 will likely affect the limits and operation of the local community councils, as originally specified in the City of Toronto Act, 1997.

Recent Issues Facing Toronto and Relationship to the Megacity Structure

Public health restaurant inspections and pest control

Toronto has faced recent publicity regarding dirty and potentially unhealthy eating and food handling establishments. The City has recently stepped up inspections which in some cases have led to temporary business closures, particularly within the limits of the former central city. It has also been claimed that this adverse situation has been aggravated by staffing cuts to municipal public health inspection services.³⁵

Standardization of recreational services and fees

In the course of its efforts to standardize recreational services and fees across the new city, Toronto has recently found that patronage and revenues for these services in some cases have not met expectations. Some services for which there is now a charge were once free in the former central City of Toronto.³⁶ Also, the budget for this department is being reduced. In the course of current financial planning the city may have to further adjust services and the fee structure. Consideration is being given to additional management reductions or maintenance savings.³⁷ These matters will be balanced against objectives of improving public access and participation.

Consolidation of land use planning documents

The City of Toronto is involved in a current program to prepare a new Official Plan³⁸ as a long range guide to development within the consolidated city.³⁹ This document will consolidate and replace the seven plans of the former municipalities. An issue is how to promote population growth within this established urban area to better utilize existing public and community services.

In future there will also be the additional task to consolidate/standardize local zoning bylaws. This localized planning work, while seeking to reflect new city-wide visions, could also arouse local community and neighbourhood concerns.

Consolidation of city halls/civic centres

The new City has centralized its main operations at Toronto's downtown modernistic City Hall/Nathan Phillips Square. At some future point the City may face the decision of giving up some satellite civic centres of the six former municipalities, while needing additional office space at the main City Hall. The new City has already given up substantial office space in the course of the amalgamation to date. 40

These possible changes may raise revenue for the new City, but could arouse local concerns regarding community identity in the outlying areas. There may also be concerns regarding the continued viability of public spaces and related facilities at these civic centres. On the other hand there may be opportunities for creative redevelopment, or rejuvenation of these other centres.

City responsibility for public transit and social housing

With the local services realignment exercize, the City of Toronto is being given planning and funding responsibility for these two key public services. 41 Concern has been expressed that these costly services require a planning perspective and on-going contribution from the senior levels of government. While the city to date has focussed on the assumption of day-to-day management of these services, there are early signs that the City, and its housing and transit agencies, are beginning to look at efforts to expand these services and plan for the future.

With the unified city directly responsible for these services, decisions may more closely reflect needs, local priorities and financial capabilities. In the area of homelessness the high profile of Mayor Lastman and his interest in addressing this issue⁴² has spurred both the Ontario and federal governments to also contribute to addressing this problem in Toronto and other large Canadian cities. In 1999 Toronto established a Homeless Initiative Reserve Fund of \$2 million to be used for capital grants for transitional housing.⁴³ The City is also attempting to work with interested private developers to begin to build social housing on surplus city lands.⁴⁴

The Greater Toronto Services Board, 45 an intermunicipal transit operating and planning body for the Greater Toronto Area, has put forward a Strategic Transportation Plan (January 2000) 46 designed to emphasize transit, co-ordinated transit services, and provide for the efficient movement of goods and services. While current high gasoline prices

cause difficulties for auto-based commuters and truckers, this situation might spur the megacity to introduce more innovative transportation planning measures to achieve improved energy efficiency, easier access and promote transit and rail usage.⁴⁷

Toronto's 2008 Olympic bid

With Toronto bidding for the 2008 Olympics it might be claimed that the megacity structure allows the municipality to approach this bid with a more unified and coordinated approach. Some venues are also planned outside of Toronto proper within the Greater Toronto Area. The provincial and federal governments are also supportive of the Toronto bid. A successful Toronto bid could also lead to the reclamation/rejuvenation of some Lake Ontario waterfront lands, the construction/improvement of recreation facilities and transportation infrastructure, and the construction of permanent affordable housing. On the other hand the viewpoint has been expressed that Toronto should focus on solving its current social problems.

Other Ontario Megacities

The "megacity model" has been applied to other major urban centres in Ontario following the re-election of the Conservative party in the June 1999 election. Under provisions within the Fewer Municipal Politicians Act, 1999 the legislative framework was put in place to establish megacities in Ottawa and Hamilton, 50 to take effect on January 1, 2001 following the November 2000 municipal elections. In the case of Ottawa a revised multiple-city structure was rejected. 51 Concern was also expressed that this legislation, which also put in place amalgamations for Sudbury and Haldimand-Norfolk, was not subject to public hearings. 52

In Ottawa the new city, with a population in excess of 742,000⁵³, will replace the Regional Municipality of Ottawa-Carleton and eleven local municipalities. In Hamilton the new city, with a population of in excess of 461,000⁵⁴, will replace the Regional Municipality of Hamilton-Wentworth and six local municipalities. In both these cases the establishment of these megacities involved:

- distinct enabling legislation;
- the collapse of the regional two-tier system of municipal government into a single unified city with one council;
- the new city focussed around a central urbanized core with surrounding suburban and more rural communities; and
- the general preservation of the same outer geographic limits of the former regions.

However, in correspondence (January 13, 2000) to the Town of Flamborough within the new City of Hamilton, and to the Township of West Carleton (with respect to the area of the former Townships of Torbolton and Fitzroy), Tony Clement the Minister of Municipal Affairs and Housing outlined a "process for determining whether [these areas] would remain part" of the new cities. 55 This could lead to some local variation in the boundary of the new cities.

The move to establish the Ottawa and Hamilton megacities was proceeded by a variety of earlier municipal and provincial studies. ⁵⁶ In the case of Hamilton, former Municipal Affairs Minister Al Leach in May 1997 "backed away from forcing a solution [to restructure Hamilton-Wentworth Region], saying it's a local matter." Nonetheless, the approval of the megacity legislation for Hamilton resulted in the resignation, in late January 2000, of Conservative backbencher Toni Skarica, MPP (Wentworth-Burlington) who in the 1999 election campaign had said that there would not be a "supercity" in his area. ⁵⁸

This additional restructuring in Ontario's larger cities has aroused discussion regarding the apparent reluctance of the Conservative government to proceed with restructuring in the "905" suburban belt around Toronto, and in Kitchener-Waterloo and Niagara Regions. 60

Concluding Remarks

The following remarks at the beginning of *Building the New City of Toronto* (July 1999) encapsulate Toronto's recent experience, which may have broader applicability to other urban centres.

The creation of the new City of Toronto also came about in an environment of radical changes in the role of municipal government in Ontario. Constitutionally, we remain a "creature of the province." In practice, the [Ontario] provincial government has been rewriting the provincial-municipal relationship, the municipal finance structure and the rules for conducting municipal business. The federal and provincial governments are continuing the trend of reducing or abandoning their traditional involvement in many policy fields, including housing and urban transportation.

If we at the municipal level don't tackle these and other critical issues, it is increasingly evident that the senior levels of government will not do so either. The responsibility for governing this urban area increasingly falls solely to municipal government....Politically and administratively, we must be prepared to take on the challenges of being the primary stewards of this urban region. Yet we must do so in an era of constrained resources. This means seeking out creative and innovative solutions to managing the issues affecting the quality of life in this city. 61

NOTES

¹ A related paper on municipal restructuring by the author is also available: Jerry Richmond, *The Municipal Restructuring Process in Ontario*, Backgrounder 14, updated July 1999. Internet site at http://www.ontla.on.ca/library/publications.htm.

² Telephone interview with the Municipal Governance Unit, Ministry of Municipal Affairs and Housing, Toronto.

³ L. Ian Macdonald, "The one-island, one-city battle," *Montreal Gazette*, 24 March 2000, p. A4.

⁴ Progressive Conservative Party of Ontario, *The Common Sense Revolution*, 1995, pp. 15 and 17.

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⁶ Figures obtained in mid-March 2000 from the Municipal Governance Unit, Ministry of Municipal Affairs and Housing.

⁷ Graham Todd, "Megacity: Globalization and Governance in Toronto," Studies in Political Economy, Summer 1998, p. 1. Internet site at:

http://www.yorku.ca/faculty/academic/gtodd/Papers/new-toronto.html accessed on 19 May 1999.

⁸ Council of Europe, The size of municipalities, efficiency and citizen participation, Local and regional authorities in Europe, No. 56, 1995.

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13 Background information was obtained from the Ministry of Finance.

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¹⁵ Supplementary discussions were held with the Municipal Governance Unit, Ministry of Municipal Affairs and Housing.

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²² Murray Campbell, "Teflon never had a better ad," Globe and Mail, 25 May 1999, p.

A9.

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²⁴ Robert Miller, "Bad Boy' wins again," Ottawa Citizen, 5 March 2000, p. A4.

²⁵ Daniel Girard, "Sleepy Tories celebrate as megacity marathon ends," Toronto Star, 12 April 1997, p. A1.

26 "Megacity Vote Results," Toronto Sun, 4 March 1997, p. 4.

²⁷ Robert Fulford, "City of Imagination: The great secret of Toronto is its passion. Citizens like it as it is," *Maclean's*, 17 March 1997.

28 John Lorinc, "Vote smart," *Toronto Life*, November 1997, pp. 65-66.

29 KPMG, Fresh Start: An Estimate of Potential Savings and Costs from the Creation of Single Tier Local Government for Toronto (Toronto: KPMG, 1996); Andrew Sancton, Toronto's Response to the KPMG Report, Fresh Start (City of Toronto: Toronto Board of Management, 1996).

30 The Greater Toronto Area includes the City of Toronto and the four surrounding regional municipalities of Halton, Peel, York and Durham. For transportation planning purposes Hamilton-Wentworth (to become the new City of Hamilton in 2001) is also

included.

31 Lorraine Luski, Jerry Richmond and Susan Swift, Final Summary of Recommendations, Bill 103 - City of Toronto Act, 1996. Prepared for the Standing Committee on General Government, Toronto: Legislative Research Service, 17 March 1997, pp. 2-5.

32 Toronto, Building the New City of Toronto.

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35 James Flaherty, "Subtle effects of cuts showing," Toronto Star, 29 February 2000; Leah Rumack, "Who rats on the rodents?" Now, 9 March 2000, p. 16.

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³⁷ Paul Moloney, "City backs down on recreation cuts," Toronto Star, 16 March 2000, p. B1.

38 Provisions for a municipal Official Plan are set out in Ontario's Planning Act.

³⁹ Paul Maloney, "Toronto planners prepare new city design," Toronto Star, 9 February 1999, p. B3.

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⁴³ City of Toronto, "Mayor's Homeless Initiative Reserve Fund." Internet site at http://www.city.toronto.on.ca/ourcity/hirf.htm accessed on 14 March 2000.

²¹ Bill 103, City of Toronto Act, 1996, 1st Reading version, 17 December 1996, Section 3(1)(b) and Schedule. Related background discussions were also held with the City of Toronto Elections Office on March 15, 2000.

⁴⁵ This body came into being in January 1999 under the provisions of *The Greater Toronto Services Board Act*, 1998.

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⁴⁷ Christopher Hume, "There's a bright side to high gas prices," Toronto Star, 9 March

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⁵³ Association of Municipal Managers, Clerks and Treasurers of Ontario, 1999 Ontario Municipal Directory, p. 43.

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58 Eric Mcguinness, "Megacity left Skarica no choice but to resign," *Hamilton Spectator*,

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telephone area code.

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